IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.364 OF 2005

Vivek Madhukar Suryavanshi. .. Petitioner
v/s.
1. State of Mah. & ors. .. Respondents

Mr.R.K.Mendadkar with Ms.Helen Koli-Momdlik for petitioner.

Mr.R.M. Sawant, GP for res.Nos.1 to 3.

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**CORAM : H.L. GOKHALE &**
**S.C.DHARMADHKARI, JJ.**

**DATED : 9TH FEBRUARY 2005**

**P.C. :**

1. Heard Mr.Mendadkar in support of this petition. The petitioner has been admitted to respondent No.4-college on a reserved seat. That admission is a provisional admission on producing the caste certificate. That caste certificate was to be validated. Since the validity certificate was not obtained, respondent No.4-college sent a letter on 24th January 2005 informing the petitioner that his admission stands cancelled. Therefore, this petition has been filed.

2. The petitioner states that after the caste

certificate was issued on 20th February 2002, the Scrutiny Committee has not proceeded into the question of validity in spite of the petitioner and his father calling upon the Committee from time to time to expedite the matter. That is averred in paragraph 6 of the petition. In view thereof, we do not intend to disturb the admission of the petitioner. That will, however, be with a direction to respondent No.2-Scrutiny Committee to decide the claim of the petitioner at the earliest and preferably within four months hereafter as suggested by Mr.Sawant, learned Government Pleader.

3. A notice has been served on respondent No.4-college and Mr.Mendadkar has shown us the acknowledgement. This being the position, we allow this petition at the admission stage and direct respondent No.4-college to permit the petitioner to continue his studies and allow him to appear for the further examinations and declare his results from time to time. That will, however, be subject to the decision of the Scrutiny Committee. In the event the decision is adverse to the petitioner, the same will not be acted upon for a period of two weeks after a copy

of the decision is served upon the petitioner.

4. The petition is disposed of in the aforesaid terms.

**(H.L. GOKHALE, J.)**

**(S.C.DHARMADHIKARI, J.)**